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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications of)
)
AMERITECH CORP.,)
Transferor,)
)
and)
)
SBC COMMUNICATIONS INC.,)
Transferee,)
)
For Consent to Transfer Control of)
Corporations Holding Commission Licenses and)
Authorizations Pursuant to Sections 214 and)
310(d) of the Communications Act and)
Parts 5, 22, 24, 25, 63, 90, 95 and 101)
Of the Commission's Rules)

CC Docket No. 98-141

**COMMENTS OF
POWER-FINDER WEST COMMUNICATIONS, LLC**

Power-Finder West Communications, LLC ("PFWC") hereby submits the following comments on the conditions proposed by SBC Communications, Inc. ("SBC") and Ameritech Corporation ("Ameritech") for their pending application to transfer control of Ameritech to SBC.¹ PFWC is a tariffed long distance carrier providing toll free 500 number and related telecommunications services to businesses throughout the country. Accordingly, PFWC is intensely interested in the competitive ramifications of this proposed merger.²

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¹ Public Notice, DA 99-1305, released on July 1, 1999, required comments on the proposed conditions to be filed by July 13, 1999. By order released July 7, 1999, DA 99-1342, the Commission extended the filing deadline to July 19, 1999. These comments are therefore timely filed.

² The following telecommunications companies share PFWC's concerns regarding 500 NXX code activation fees, and hence support these comments: Omega Cellular Partners, L.C.; Sycamore Telephone Company; Ft. Jennings Telephone Company; NPB Telecom; Cross Systems / Telephone Company; Shoreham Telephone Company, Inc.; Kalida Telephone Company, Inc.; Ringgold Telephone Company, Inc.; Citizens Telephone (continued...)

As a provider of 500-number services, PFWC urges SBC, Ameritech, and the Commission to keep in mind when concluding this proposed transaction the positive competitive impact of low (or no) 500 NXX code end-office activation fees. PFWC notes that under its current tariff on file with the Commission, Ameritech assesses a fee of approximately \$70,000.00 to activate each 500 NXX code in its service area. The anticompetitive effects of such a high activation fee for each 500 NXX code is tellingly illustrated by a review of data provided by the North American Numbering Plan Administrator: only 250 assignments of a 500 NXX code to small competitive telecommunications companies would result in their paying fees of over \$17.5 million to activate each code in Ameritech's service region.


Consistent with the procompetitive effects of widespread use of this valuable numbering resource, after the completion of its merger with Pacific Telesis ("PacTel"), SBC revised the PacTel tariff to eliminate 500 NXX code end-office activation charges in PacTel's service region. Bell Atlantic, like SBC, imposes no fee to activate 500 NXX codes. PFWC hopes that, consistent with its practice in connection with its merger with PacTel, and with industry practice, SBC will revise the relevant Ameritech tariff to eliminate 500 NXX code end-office activation charges after completion of this proposed merger. As part of its review of the proposed merger,

(...continued)

Company of Kecksburg; NetTel; Pennsylvania Telephone Company; Communications Options Southern Region, Inc.; Swayzee Telephone Broadband, Inc.; CN Communications, Inc.; Tel/Logic, Inc.; MidWest Telepartners, Inc.; Corbell Telephone and Electronics, Inc.; KTS Services of Northern California, Inc.; CONNECTtek Indiana Electronics, Inc.; Fishers Island Telephone Company; Commercial Electronic Systems, Inc.; Bixby Telephone; TELECO, Inc.; TELECO of North Carolina; Sherburne County Telephone Company; and R and P Communications. *See Attachment A.*

the FCC should encourage SBC to commit to continue the procompetitive policy which it followed in its purchase of PacTel.

Respectfully submitted,

A handwritten signature in black ink, reading "Alexander J. Eucare, Jr." with a stylized, cursive script.

Alexander J. Eucare, Jr.

Chief Executive Officer

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July 19, 1999

Attachment A

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